In The Circuit Court for Frederick County, Maryland Equity No. 24,201

RENE HALEY Route #1, Box 287 Emmitsburg, Maryland MARY FLORENCE Route #1, Box 286 Emmitsburg, Maryland CHRISTINE WELTY Route #3 Gettysburg, Pennsylvania

COMPLAINANTS LAWRENCE I. STOUTER 5272 Reisterstown Rd. Baltimore, Maryland EVA HOBBS Route # 2 Emmitsburg, Maryland JOANNA EYLER W. Main Street Emmitsburg, Maryland DOROTHY KELLY 548 E. Baltimore Blvd. Westminster, Maryland ALICE THOMAS 10540 E. Apache Trail Apache Jct. Arizona PAULINE SPRANKLE Box 47 Rouzerville, Pennsylvania MARTIN B. STOUTER Route #1, Box 85 Emmitsburg, Maryland EDNA S. Utz Westminster Maryland ANNA G. HALEY Glebe Rd. Easton, Maryland EDITH HALEY Emmit Gardens Emmitsburg. Maryland ETHYL GREENHOLTZ Robinwood Rd. Dundalk, Maryland RUTH WISOTZKEY Fairfield Rd. Gettysburg, Pennsylvania

MARGARET VALENTINE Thoms Creek Rd. Taneytown, Maryland CHARLES F. STOUTER Route #1, Emmitsburg, Maryland HILDA HANIIN 1804 Monter Avenue Louisville, Ohio BERNARD H. STOUTER Route #1 Annandale Rd. Emmitsburg, Maryland ESTHER P. FOWLER Apt. B 34 6664 Shelly Rd. Glenn Burnie, Maryland BARTHOLOMEW PEDDICORD 5 Westover Rd. Marley, Maryland JOHN PEDDICORD (Address Unknown) ANTHONY PEDDICORD Box 29 C, Route #11 Pasadena, Maryland MARIE STOUTER SAFFER c/o Margaret M. Saffer 204 E. Chase Street Baltimore, Maryland and all other persons having or claiming to have any interest in property consisting of 94 acres more or less. Emmitsburg District Frederick County, Maryland ORDER OF PUBLICATION

March 12, 1973, a Bill of Complaint; born as a result of this marriage and thence N. 84-1/2 degrees W. 86 perchwas filed in the Circuit Court for he is entitled to the entire one-sixth es thence S. 4-1/2 degrees E. 87 perch-Frederick County by the Plaintiffs, (1/6) interest of his father. against Defendants for the Partition D. Mrs. Genieve Stouter Peddicord perches thence S. 4-1/2 degrees E. 10

2. That the named Defendants are her one-sixth (1/6) interest. the surviving children grandchildren and heirs of Sarah S. Stouter.

this action are believed to be sui est in this real property. Mary's

died seized and possessed of the fol- of this marriage and the surviving of this Bill of Complaint as tenants lowing real property, namely, all children of her second marriage in those tracts or parcels of land situ. eleven equal shares. Therefore, the ated, lying and being in the Emmits- children of Martin and Mary (includburg District, Frederick County, ing the sole heir of Stanley) are en-

The \ ...ley Register Office

Middletown Md April 20 19.73 I hereby certify that the annexed Order Of Publication Haley Vs. Stouter was published in The Valley Register, a newspaper published in Frederick County, Md., for _____ successive weeks, _____ times, prior to the 21st day of April 1973

THE VALLEY REGISTER

C. All the chilen of John M. sarah S. Stout, re deceased . . the exception of Marie Stouter 5. fer and have left the following heirs (1) George P. Stouter and his wife,

Esther, both deceased, are survived

Stouter Haley, (Mrs.) Mary Stouter Florence, (Mrs.) Christine Stouter Welty. A son, William died prior to the deaths of his parents and left no heirs. Another son, Stanley Stouter Complainants. He is believed sur-

(Mrs.) Edith Stouter Haley, (Mrs.) ick County, Maryland, by James O. Ethyl Stouter Greenholtz. (Mrs.) Peddicord and Mary E., his wife, by Ruth Stouter Wisotzkey, (Mrs.) Mar-deed bearing date of the Sixth day garet Stouter Valentine, Charles F. of November in the year 1886.

her husband (whose first name your perches to a stone pile, thence South Complainants do not know) are de 35 degrees W. 48-8/10 perches to a ceased. They are survived by (Mrs.) stone pile thence South 65 degrees Esther Peddicord Fowler, John Ped-East 66-6/10 perches to a stone pile, dicord, Anthony Peddicord and Bar-thence N 50-1/4 degrees E. 41 perches tholomew Peddicord.

Defendants are entitled to the follow. land more or less in fee simple, reing undivided proportional interests serving the right of way to Dr. Anin the hereinbefore described real property.

A. Marie Stouter Saffer is the only living child of said Sarah S. Stouter and thus is entitled to a one-sixth (1/6) interest.

intestate to the best of your Com. Maryland. plainant's knowledge. Each of said Parcel III: All that tract of Moun-George P. Stouter's six (6) children tain land or part of a tract situate in of his one-sixth (1/6) interest.

Martha, both deceased are believed at a stone planted at the West end to have died intestate to the best of of a stone fence, it being a corner your Complainants knowledge, of the lands of Joseph Tressler and This is to give notice that on Complainants believe one son was the said John M. Stouter running

of certain lands as set forth more and her husband are deceased and perches thence S. 73 degrees E. 25both are believed to have died intes-1. That your Complainants are tate. There are four known chilgrandchildren and heirs of Sarah S. dren of said marriage and each are entitled to a proportionate share of

E. Martin A. Stouter died intestate and was survived by his wife, Mary simple. 3. That all of the named parties to and five children who have an interone-third (1/3) statutory interest 4. That the said Sarah S. Stouter was devised to her surviving children the land which is the subject matter State of Maryland and more partic. titled to a proportionate share of described property was deeded to Mortin's two-thirds (2/3) intestate Sarah S. Stouter, widow, by Joseph erty and those who survived Mary his mother) are entitled to an additional share of Mary's one-third (1/3) testate July 18, 1962).

Parcel I: All that lot of ground by Lawrence I. Stouter, (Mrs.) Eva with all the improvements thereon Stouter Hobbs, (Mrs.) Joanna Stout- situated and ing in the South er Eyler, (Mrs.) Dorothy Stouter Mountain in F. Jerick County, Mary-Kelly and (Mrs.) Alice Stouter land, adjoining the lands of David Thomas and (Mrs.) Pauline Stouter Gamble deceased, John Click, John (2) Martin Stouter and his wife, the outline thereof at a stone pile (Mary, are deceased and are survived erected at a road, it being also a corby Martin B. Stouter, (Mrs.) Irene ner of lands of David Gamble, deceased, and running thence N. 49 degrees W. 22 perches to a stone pile, thence S. 50-1/4 degrees W. 41 perches to a stone pile, thence S. 55-1/4 degrees E. 21-9/10 perches to an Elm Sapling thence N. 56-1/4 degrees E. died prior to the death of his mother, N. 18-1/2 E. 16-4/10 perches to the place of beginning, containing (vived only by one child (Mrs.) Edna more or less in fee simple also being the same tract of land that was con-(3) Felix Stouter and his wife, veyed to the said William S. Guthrie Mary, are deceased and are survived as President of the Union Building by (Mrs.) Anna Stouter Haley, Association of Emmitsburg, Freder-

Stouter and (Mrs.) Hilda Stouter Parcel II: Part of a tract of Mountain land situated in the South Moun-(4) Joseph H. Stouter and his wife, tain and commencing for the same Martha are deceased and are surviv- at a stone pile in the Northwest cored by one son, Bernard H. Stouter. ner of a lot of John Septer and run-(5) Genieve Stouter Peddicord and ming thence North 49 degrees W. 78 to the place of beginning, containing 7. That your Complainants and the twenty acres and two perches of drew Annan to pass through said lot in hauling to and from his mountain

land lying back of or above this lot to his heirs or assigns forever and the said Frank Click further covenants that he will warrant generally B. George P. Stouter and his wife, the property hereby conveyed. Said Esther, are deceased and both died land is situated in Frederick County,

are entitled to a proportionate share the South Mountain, Frederick County, in the State of Maryland called C. Joseph H. Stouter and his wife, Caroline and beginning for the same 8/10 perches thence S. 79 degrees E. 77 perches thence N. 23-3/4 degrees E. 38 perches thence N. 55 degrees W. 66-6/10 perches to the place of beginning containing 68 acres and 7 perches of land more or less in fee

5. That Sarah S. Stouter died intestate on or about March 3, 1928.

6. That your Complainants own in common with Defendants as fol-

A. Subsequent to the death of her husband, John M. Stouter, the above interest of Sarah S. Stouter's prop. H. Stouter, by deed dated April 18, 1907 and recorded among the land (excluding Stanley who predeceased Records of Frederick County, Mary land, at Liber STH 280 Folio 42.

B. Six Children were born as a redower interest in accordance with sult of the marriage of John M. and the terms of her Will recorded in Sarah S. Stouter and each acquired Will Book TME 2. Folio 250, in the a one-sixth (1/6) interest in her Office of the Register of Wills for property by operation of law upon Frederick County, which gives all the death of Sarah S. Stouter intesof her eleven children equal shares tate. The names of these children of her interest in the Sarah S. Stour are: George P. Stouter, Martin A. er property (Mary Stouter died Stouter, Felix Stouter, Joseph H. Stouter, (Mrs.) Marie Stouter Saffer and (Mrs.) Genieve Stouter Peddicord.

F. Felix Stouter died intestate and was surviv by his wife Mary (who was previous married to Martin A. Stouter) and seven children who have an interest in his real property. Mary's statutory one-third (1/3) interest was devised to her surviving children of this marriage and her first marriage in eleven equal shares. Therefore, the seven children of Felix and Mary are entitled to a proportionate share of Felix's two-thirds (2/3) intestate interest of Sarah S. Stouter's property and an additional share of Mary's dower interest in accordance with the terms of her Will as hereinbefore set out at Paragraph "7-C".

8. That your Complainants have made a diligent search for the names and addresses of all heirs to said Sarah S. Stouter. Attached to this Bill of Complaint is a schematic diagram of the Complainants' family tree which is correct to the best of Complainants' knowledge.

9. That the lands which are the subject matter of this suit cannot be divided without loss or injury to the parties interested, and that it is therefore necessary for a sale of all the right, title, interest or estate, either legal or equitable, of the said Sarah S. Stouter in and to the lands above mentioned, as well as in and to any other land in which she had "an interest either legal or equitable." at the time of her demise, and for a division of the money arising from such a sale among the parties according to their respective rights and interests.

10. That there are no liens or encumbrances thereon appearing of That the relief prayed in the Peti-

tion is: 1. That a Decree may be pessed by this Honorable Court for the sale of said real estate mentioned in the foregoing Bill of Complaint by Trustee or Trustees to be appointed thereunder and the proceeds distributed under the direction of this Honorable Court to the parties entitled according to their respective interest.

2. That your Complainants may have such other and further relief as the nature of the case may require.

WHEREUPON it is ordered by the Circuit Court for Frederick County, this 12th day of March, 1973, that the Plaintiffs cause a copy of this order to be inserted in a newspaper published in Frederick County, once a week in each of four successive weeks, before the 21st day of April, 1973, giving notice to the said nonresident Defendant of the object and substance of the Bill of Complaint and warning her to show cause if any there may be, on or before the 22nd day of May, 1973, why a decree should not be passed as prayed.

Ellis C. Wachter Clerk of the Circuit Court Herbert D. Morrison W. Milnor Roberts Attorneys for Plaintiffs 106 N. Court St. Frederick, Maryland 662-0246 Filed March 12, 1973 TRUE COPY TEST Ellis C. Wachter, Clerk

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